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March 20, 2024

VIA CM/ECF ONLY

Hon. Mitchell J. Katz
U.S. Magistrate Judge
U.S. District Court, Northern District of New York
James M. Hanley Federal Building & U.S. Courthouse
100 S. Clinton Street
Syracuse, New York 13261

RE: COMPAGNI v. TOWN OF CORTLANDVILLE, ET AL
Case No : 5:20-CV-00489 – GTS-ATB

Dear Judge Katz:

I represent the defendants in the above matter. I write Your Honor to request a phone conference with the Court so that we can address issues relative to a property inspection scheduled to take place next week on March 26, 2024.

Specifically, as this Court is aware, an inspection of plaintiff's property was duly noticed on December 28, 2023, and plaintiff's counsel thereafter moved to quash the notice and/or for a protective order. After briefing, this Court denied plaintiff's motion by text order entered and filed on February 6, 2024. Thereafter, plaintiff's counsel sent correspondence to defense counsel (a copy of which is attached, along with defense counsel's response), whereby he unilaterally imposes extensive conditions on the property, which are unnecessary and clearly designed to attempt to either prevent the inspection as a whole, unduly limit the inspection or circumvent this Court's text order. It should be noted that plaintiff has never imposed such restrictions on the Town or its agents at any time in the past.

We respectfully request a conference with the Court so this dispute can be addressed in advance of the inspection and so that it can proceed without interruption by the plaintiff. Clearly, plaintiff is well-aware that defendants have deadlines to complete expert discovery, and will incurring expenses simply having counsel and expert travel to the site, and defendants would like to make sure plaintiff is not permitted to interfere with defendants' right to inspect.

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Thank you for your consideration.

Respectfully Submitted,

NASH CONNORS, P.C.

/s/ Philip M. Gulisano

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Encs.

cc. Jesse Ryder, Esq. (via CM/ECF only)